

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL CASE
NO. 04-100082 MLW

ERIC R. RESTEINER
Defendant

REPORT & ORDER ON
FINAL STATUS CONFERENCE

ALEXANDER, M.J.

On December 15, 2004, parties appeared before this Court for a Final Status Conference. With regard to the following issues, the parties have represented that:

1. There are features of case that deserve special attention or modification of the standard schedule;
2. Discovery is not complete and there are no pending motions;
3. Supplemental discovery anticipated includes additional documents pursuant to the original MLAT from the Bahamas;
4. (a) Total amount of time ordered excluded under the Speedy Trial Act: June 18, 2004, through October 12, 2004 (117 days); October 13, 2004, through November 18, 2004 (36 days); November 18, 2004, through December 7, 2004 (19 days), for a total of one hundred and seventy-three (173) days. The government will file a joint motion for excludable delay for the time period of 12/7/04 through 12/15/04.
(b) Amount of time remaining under the Speedy Trial Act before trial must commence: seventy (70) days.
(c) There are no pending or anticipated motions that will cause additional excludable time under the Speedy Trial Act;
5. (a) The defendant does not intend to raise a defense of insanity.
(b) The defendant does not intend to raise a defense of public authority.
6. The Government has not requested notice of alibi by the defendant.

7. (a) There are no Motions to sever, dismiss, suppress, or any other motion requiring a ruling by the District Court before trial.

(b) Briefing schedule established: the defendant was to file dispositive motions on or before November 12, 2004, with the government's response due November 26, 2004;

8. There is no need for schedule concerning any matter in the case other than a Rule 11 hearing;

9. Resolution of case without trial is likely;

10. Trial is not necessary. If a trial were to become necessary, the estimated duration of trial is three (3) weeks;

11. There are no other matters.

IT IS HEREBY ORDERED THAT

Whereas all pre-trial matters referred to this Court by the District Judge have been resolved, the case is hereby returned to the District Judge.

HONORABLE JOYCE LONDON ALEXANDER
UNITED STATES MAGISTRATE JUDGE
By the Court:

/S/ Rex Brown
Courtroom Clerk

January 4, 2005
Date